

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 11 MAY 2005

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Applicant's or agent's file reference <b>VISI-N53 PCT</b>	<b>FOR FURTHER ACTION</b>		See Form PCT/IPEA/416
International application No. <b>PCT/US04/12122</b>	International filing date (day/month/year) <b>20 April 2004 (20.04.2004)</b>	Priority date (day/month/year) <b>25 April 2003 (25.04.2003)</b>	
International Patent Classification (IPC) or national classification and IPC <b>IPC(7): G09G 3/32 and US Cl.: 345/83,46</b>			
Applicant <b>VISIONEERED IMAGE SYSTEMS, INC.</b>			

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
  - a. ☐ (sent to the applicant and to the International Bureau) a total of \_\_\_ sheets, as follows:
    - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
    - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
  - b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:
 

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand <b>21 October 2004</b>	Date of completion of this report <b>05 April 2005 (05.04.2005)</b>
Name and mailing address of the IPEA/ US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450	Authorized officer <b>BIPIN SHALWALA</b> <i>Rugenia Zagan</i>
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# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/US04/12122

## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
  - ☐ This report is based on translations from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of:
    - ☐ international search (under Rules 12.3 and 23.1(b))
    - ☐ publication of the international application (under Rule 12.4)
    - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
  - ☒ the international application as originally filed/furnished
  - ☒ the description:
    - pages 1-21 as originally filed/furnished
    - pages\* NONE received by this Authority on \_\_\_\_\_
    - pages\* NONE received by this Authority on \_\_\_\_\_
  - ☒ the claims:
    - pages 22-25 as originally filed/furnished
    - pages\* NONE as amended (together with any statement) under Article 19
    - pages\* NONE received by this Authority on \_\_\_\_\_
    - pages\* NONE received by this Authority on \_\_\_\_\_
  - ☒ the drawings:
    - pages 1/13-13/13 as originally filed/furnished
    - pages\* NONE received by this Authority on \_\_\_\_\_
    - pages\* NONE received by this Authority on \_\_\_\_\_
  - ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
  - ☐ the description, pages \_\_\_\_\_
  - ☐ the claims, Nos. \_\_\_\_\_
  - ☐ the drawings, sheets/figs \_\_\_\_\_
  - ☐ the sequence listing (*specify*): \_\_\_\_\_
  - ☐ any table(s) related to the sequence listing (*specify*): \_\_\_\_\_
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
  - ☐ the description, pages \_\_\_\_\_
  - ☐ the claims, Nos. \_\_\_\_\_
  - ☐ the drawings, sheets/figs \_\_\_\_\_
  - ☐ the sequence listing (*specify*): \_\_\_\_\_
  - ☐ any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.  
PCT/US04/12122**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims <u>1-24</u>	YES
	Claims <u>NONE</u>	NO
Inventive Step (IS)	Claims <u>1-24</u>	YES
	Claims <u>NONE</u>	NO
Industrial Applicability (IA)	Claims <u>1-24</u>	YES
	Claims <u>NONE</u>	NO

**2. Citations and Explanations (Rule 70.7)**

Claims 1-24 meet the criteria set out in PCT Article 33(2)-(4), because the prior art does not teach or fairly suggest at least one light sensor capable of providing a separate output signal representative of a measure of the luminous intensity of the emitted light from each LED.

----- NEW CITATIONS -----  
NONE

**Box No. VIII (iii) DECLARATION: ENTITLEMENT TO CLAIM PRIORITY**

*The declaration must conform to the standardized wording provided for in Section 213; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iii). If this Box is not used, this sheet should not be included in the request.*

Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)):

1. In relation to international application No. PCT/US04/\_\_\_\_\_,  
Vioneered Image Systems, Inc., Inc. is entitled to claim priority of earlier U.S.  
Provisional Patent Application No. 60/465,437, filed April 25, 2003, by virtue of the  
following: an assignment from the inventors, Norton K. Boldt, Jr., Curt Deckert,  
Andrew I. Lisiecki and James C. Johnson to Vioneered Image Systems, Inc. dated  
July 30, 2003.

2. This declaration is made for the purposes of all designations.

☐ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iii)".